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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/575,403

05/22/2000

Jeremy P. Chaney

REALNET.105A

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12/01/2005

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EXAMINER

PHAM, KHANH B

ART UNIT

PAPER NUMBER

2166

DATE MAILED: 12/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/575,403

Applicant(s)

CHANEY ET AL.

Examiner

Khanh B. Pham

Art Unit

2166

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 63-78 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 63-78 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

1. The amendment filed September 19, 2005 has been entered. Claims 63-74 have been amended. Claims 75-78 have been added. Claims 63-78 are pending in this Office Action.

Claim Rejections - 35 USC § 102

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. **Claims 63-78** are rejected under 35 U.S.C. 102(e) as being anticipated by Duwaer et al. (US 5,959,627 A), hereinafter "Duwaer".

As per claim 63, Duwaer teaches a method for managing metadata of audio content files using an electronic device, the method comprising:

- "displaying on a display of the electronic device, a column having n rows of track names (Fig. 4, element "Track [159]") corresponding to n audio content files of a genre" (Fig. 4, element "Genre[21]"), "wherein n is an integer" (e.g., n=3) at Figs. 4-5;
- "displaying on a display of the electronic device, either a column having n rows of artist names corresponding to the n rows track names" (Fig. 5, element 72), or "a

column having n rows of album names (Fig. 5, element 72) corresponding to the n rows of track names" at Fig. 5, element 72.

As per claim 64, Duwaer teaches the method of claim 63, wherein "the method further comprises receiving an indication of a selection of a genre of audio content files" at Fig. 5, element "Genre [1]", and "wherein the displaying of a column having n rows of track names corresponding to n audio content files of a genre is responsive to receiving the indication" at Col. 5 lines 10-30 and Fig. 5.

As per claim 65, Duwaer teaches the method of claim 64, wherein the method comprises "receiving a new metadata value for a metafield of a metadata record corresponding to a displayed track name, and in response to receiving the new metadata value, propagating the new metadata value to the corresponding metafield of each corresponding metadata record of the audio content files of the selected genre" at Col. 3 lines 10-25 and Fig. 3.

As per claim 66, Duwaer teaches the method of claim 63, wherein the method further comprises "receiving a selection of one of the displayed track names, and in response to receiving the selection, rendering the audio content of the audio content file corresponding to the selected displayed track name" at Col. 4 lines 40-45 and Fig. 5.

As per claim 67, Duwaer teaches a method for managing metadata of audio content files using an electronic device, the method comprising:

- “displaying on a display of the electronic device, a column with n rows of track names (Fig. 4, element “Track [159]”) corresponding to n audio content files of a genre (Fig. 4, element “Genre [21]”), wherein n is an integer” at Figs. 4-5
- “displaying on a display, either a column with n corresponding rows of album names corresponding to the n rows track names (Fig. 5, element 72), or a column with n corresponding rows of genre names (Fig. 4, element “genre [21]”) corresponding to the track names” (Fig. 4, element “Track”) at Figs. 4-5.

As per claim 68, Duwaer teaches the method of claim 67, wherein the method further comprises receiving an indication of a selection of an artist name, and wherein the displaying of a column with n rows of track names corresponding to n audio content files of a genre is responsive to the receiving of the indication” at col. 5 lines 10-30 and Fig. 5.

As per claim 69, Duwaer teaches the method of claim 68, wherein “the method comprises receiving a new metadata value for a metafield of a metadata record corresponding to a displayed track name, and in response to receiving the new metadata value, propagating the new metadata value to the corresponding metafield of each corresponding metadata record of the audio content files of the selected artist name” at Col. 3 lines 10-25 and Fig. 3.

As per claim 70, Duwaer teaches the method of claim 67, wherein the method further comprises “receiving an indication of a selection of one of the displayed track names, and in response to receiving the indication, rendering the audio content of the audio content file corresponding to the selected displayed track name” at Col. 4 lines 40-45 and Fig. 5.

As per claim 71, Duwaer teaches a method for managing metadata of audio content files using an electronic device, the method comprising:

- “displaying on a display of the electronic device, a column comprising n rows of track names (Fig. 4, “Track [159]”) corresponding to n audio content files” , “wherein n is an integer” at Figs. 4-5;
- “displaying on a display of the electronic device, either a column comprising n corresponding rows of artist names corresponding to the track names (Fig. 5, element 72), or “a column comprising n corresponding rows of genre names (Fig. 4, 21) corresponding to the track names” at Figs. 4-5.

As per claim 72, Duwaer teaches the method of claim 71, wherein the method further comprises “receiving an indication of a selection of an album name, and wherein the displaying of a column comprising n rows of track names corresponding to n audio content files is responsive to the receiving of the indication” at Col. 5 lines 10-30 and Fig. 5.

As per claim 73, Duwaer teaches the method of claim 72, wherein the method comprises “receiving a new metadata value for a metafield of a metadata record corresponding to a displayed track name, and in response to receiving the new metadata, propagating the new metadata value to the corresponding metafield of each corresponding metadata record of the audio content files of the selected album name” at Col. 3 lines 10-25 and Fig. 3.

As per claim 74, Duwaer teaches the method of claim 71, wherein the method further comprises “receiving an indication of a selection of one of the displayed track names, and in response to the receiving of the indication, rendering the audio content of the audio content file corresponding to the selected displayed track name” at Col. 4 lines 40-45 and Fig. 5.

As per claim 75, Duwaer teaches the method of claim 63, wherein “the displaying of the column of n rows of artist names or the column of n row of album names, is simultaneous with the display of the column having n rows of track names corresponding to n audio content files of a genre” at Fig. 5.

As per claim 76, Duwaer teaches the method of claim 67, wherein “the displaying of the column of n rows of album names or the column of n row of genre names, is simultaneous with the display of the column having n rows of track names corresponding to n audio content files of a genre” at Fig. 5.

As per claim 77, Duwaer teaches the method of claim 71, wherein “the displaying of the column of n rows of artist names or the column of n row of genre names, is simultaneous with the display of the column having n rows of track names corresponding to n audio content files of a genre” at Fig. 5.

As per claim 78, Duwaer teaches a storage medium having computer program codes stored thereon for performing the method of claim 63, 67, or 71 at Col. 2 lines 38-48.

Response to Arguments

3. Applicant's arguments filed September 19, 2005 have been fully considered but they are not persuasive. The examiner respectfully traverses applicant's arguments.

Applicants argued that Duwaer does not teach the display of “a column having the same n number of rows of either artist or album names corresponding to the n rows of track names”. On the contrary, Duwaer teaches this limitation at Fig. 5, a portion of Fig. 5 is reproduced below:



FIG. 5

As seen in Fig. 5, Duwaer teaches a column having 3 rows of artist names (i.e., “The Jacksons”, “Lionel Richie”, and “The Beatles”) or album names (i.e., “Dance

Classics Gold III", "Can't Slow Down", and "The Beatles/1962-1966) corresponding to the 3 rows of track names (i.e., "Can You Feel It", "All Night Long", and "Yesterday").

In light of the foregoing arguments, the 35 U.S.C 102 rejection is hereby sustained.

Conclusion

4. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh B. Pham whose telephone number is (571) 272-4116. The examiner can normally be reached on Monday through Friday 7:30am to 4:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hosain Alam can be reached on (571) 272-3978. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Khanh B. Pham
Examiner
Art Unit 2166

November 28, 2005

A handwritten signature in black ink, appearing to read 'Khanh B. Pham', with a long, horizontal, slightly wavy line underneath it.